

jc961 U.S. PTO
09/21/01

09-24-01
A

NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)

[] Duplicate
(check, if applicable)

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Attorney Docket No. 10312-7 (053836-5001)
First Named Inventor: Ross
Express Mail Label No. EL719362045US
Total Pages of Transmittal Form: 2

jc973 U.S. PTO
09/19/01 1086
09/21/01

Transmitted herewith for filing is the non-provisional utility patent application entitled:

**BREAST CANCER RESISTANCE PROTEIN (BCRP) AND THE DNA WHICH
ENCODES IT**

which is:

an [] Original; or
a [] Continuation, [X] Divisional, or [] Continuation-in-part (CIP)
of prior Application No. 09/245,808 filed FEBRUARY 5, 1999.

Anticipated Group/Art Unit: _____ or Class _____, Subclass _____.

[] This non-provisional patent application is based on Provisional Patent Application No. _____
_____, filed _____.

Enclosed are:

- [X] Specification (including Abstract) and claims: 53 pages.
- [] Application Data Sheet.
- [] Newly executed/unexecuted Declaration (original/copy).
- [X] Copy of Declaration from prior application.
- [] Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- [22] sheets of drawings (formal) plus one copy.
- [] Microfiche computer program (Appendix).
- [X] Nucleotide and/or Amino Acid Sequence Submission, including:
[X] Computer readable copy [X] Paper Copy [X] Verified

Statement.

- [] Under PTO-1595 Cover Sheet, an assignment of the invention
- [X] Name of Assignee: University of Maryland Baltimore
- [] Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:
[] herewith or [] in prior application &@.
- [X] Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under
37 C.F.R. §1.27 as [] an Independent Inventor, or [] a Small Business Concern,
or [X] a Non-Profit Organization.
- [X] Preliminary Amendment.
- [X] Information Disclosure Statement and PTO-1449.
- [] Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- [] Other:

The filing fee is calculated as follows:

| | | | SMALL ENTITY | | | | LARGE ENTITY | |
|---------------------------------------|-----------|-----------|---------------------|------------------|----|--------------|---------------------|--|
| CLAIMS | NO. FILED | NO. EXTRA | BASIC FEE: \$355 | | | | BASIC FEE: \$710 | |
| Total | 7-20 = | 0 | X9 | \$ | OR | X18 | \$ | |
| Independent | 1- 3= | 0 | X40 | \$ | OR | X80 | \$ | |
| [] Multiple Dependent Claims Present | | | \$135 | \$ | OR | \$270 | \$ | |
| | | | TOTAL | \$ 355.00 | OR | TOTAL | \$ | |

[] The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.

[X] A check in the amount of \$355.00 to cover the filing fee is enclosed.

[X] The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310 (Billing No. 503836-5001)** as noted below. A duplicate copy of this sheet is enclosed.

[X] Any overpayments or deficiencies in the above-calculated fee.

[] Filing fee in the amount of \$ _____ as calculated above.

[X] Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.

[X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

ROSS, et al.

By:

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Attorney for Applicants

September 21, 2001
(Date)

[X] Customer Number or Bar Code Label: **028977**

KD/kck
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|---|---------------------------------|
| In re: | Patent Application of Ross, <i>et al.</i> | : | Group Art Unit Not Yet Assigned |
| | | : | |
| Appln. No.: | Filed Herewith | : | Examiner: Not Yet Assigned |
| | | : | |
| Filed: | Herewith | : | |
| | | : | |
| For: | BREAST CANCER RESISTANCE PROTEIN (BCRP) AND THE DNA ENCODES IT | : | Attorney Docket |
| | | : | No. 53836-5001 |

STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825

(X) I hereby state, in accordance with the requirements of **37 C.F.R. §1.821(f)**, that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with **37 C.F.R. §1.821(c)** and **(e)**, respectively are the same.

() I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(g)** does not include new matter.

() I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.

() I hereby state that the amendments, made in accordance with **37 C.F.R. §1.825(a)**, included in the initial/substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages &@. I hereby state that the substitute sheets(s) of the Sequence Listing does(do) not include new matter.

() I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 C.F.R. §1.825(b)**, is the same as the amended Sequence Listing.

() I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), contains identical data to that originally filed.

Respectfully submitted,

ROSS, et al.

September 21, 2001
(Date)

By:


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Enclosures

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